

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>In re application of:</b> Christoper Ausschnitt	<b>Dated:</b> January 12, 2010
<b>Serial Number:</b> 10/596,614	<b>Examiner:</b> Young, Christopher G.
<b>Filing date:</b> June 19, 2006	<b>Group Art Unit:</b> 1795 <b>Confirmation No.:</b> 8458
<b>Title:</b> Differential Critical Dimension and Overlay Metrology Apparatus and Measurement Method	IBM Corporation D/18G, B/321, Zip 482 2070 Route 52 Hopewell Junction, NY 12533-6531

**RESPONSE TO NOTICE OF DRAWING INCONSISTENCY WITH SPECIFICATION**

Hon. Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

Sir:

In response to the Notice of Drawing Inconsistency with Specification dated December 31, 2009, Applicant respectfully submits the following:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Drawings** are shown on the "REPLACEMENT SHEET" attached to this paper.

**Remarks** begin on page 3 of this paper.